

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
WESTERN DIVISION

Thomas Powers,
Plaintiff
v.

Larry Jones, Chaplain, Dixon Correctional Center, Daniel Segretto, Food Supervisor, Dixon Correctional Center, Rick Bollman, Food Supervisor, Dixon Correctional Center, Wes Landawer, Correctional Officer, Dixon Correctional Center. Louis Castillo, Food Sup. Dixon C.C.

RECEIVED

APR 22 2008

MICHAEL W. DOBBINS
CLERK U. S. DISTRICT COURT

Case No. _____

08 C 60071

THE HONORABLE JUDGE

Reinhard

**CIVIL RIGHTS COMPLAINT
PURSUANT TO 42 U.S.C. 1983 and
42 U.S.C. 2000(c)(c)(3)
and Religious Land Use Institutionalized Persons Act**

I.

JURISDICTION

A. The Plaintiff is Thomas Powers, Register No. N-91586, who is presently incarcerated and whose mailing address is Dixon Correctional Center 2600 N. Brinton Dixon, Illinois 61021.

B. Defendant, Larry Jones, Who is employed as : Chaplain of Dixon Correctional Center with the Illinois Department of Corrections at the address of : Dixon C.C. 2600 N. Brinton Dixon, Illinois 61021. The defendant at the time the claims ~~had~~ arose, was employed by the state or local government.

C. Defendant, Daniel Segretto, Who is employed as a Food Supervisor , with the Illinois Department of Corrections at the address of: Dixon C.C. 2600 N.Brinton ave. Dixon, Illinois 61021. The defendant

at the time the claims had arose, was employed by the State or local government.

D. Defendant, Rick Bollman,

Who is employed as: Food Supervisor, with the Illinois Department of Corrections at the address of: Dixon Corrections 2600 N. Brinton Dixon, Illinois 61021. The defendant at the time claims had arose, was employed by the State or local government.

E. Defendant, Louis Castillo.

Who is employed as: Food Supervisors, with the Illinois Department of Corrections at the Dixon Correctional center 2600 N. Brinton ave. Dixon, Illinois 61021, The defendant at the time claims had arose, was employed by the State or local government.

F. Defendant Wes Landauer,

Who is employed as: Correctional Officer, with the Illinois Department of Corrections at the Dixon Correctional Center 2600 N. Brinton ave. Dixon, Illinois 61021. The defendant at the times claims had arose, was employed by the state or local government.

II.

PREVIOUS LAWSUITS

A. The Plaintiff has not filed any other lawsuit or claim resulting from the incidents involved in the claims herein. But has filed civil rights claims before and are listed below.

1. Powers v Meyers - Case No, Unknown- USDC NDIL (West)-Settled
2001 - Cruel & Unusual Punishment
2. Powers v Rockford Police- Case No. Unknown USDC NDIL (West) settled
2001 - Excessive Force
3. Powers v. Donald Snyder et al.-USDC CDIL Case No 02-1372 pending.
2002 - Deliberate Ind. of Preference to my Medical Need, Retaliation
4. Powers v Odie Washington- Case No Unknown USDC Dismissed
1997 - Due Process Violation
5. Powers v. Danny Jaimet et al.- USDC SDIL -03-670- pending trial decision
2003 - Retaliation

III.

GRIEVANCE PROCEDURE

- A. There was a grievance procedure in the institution in which the claims arose and the Plaintiff presented the facts relating to the claims herein to the administration.
- B. The Plaintiff took the steps to have his suffering corrected by the defendants through

the grievances procedure by writing the grievances, and subsequent to the denial of them who either refused to address the issues herein.

C. The Plaintiff has included in Appendix, attached herein, the copies of the grievances he filed with respect to these issues.

IV.

JURY TRIAL REQUEST

A. The Plaintiff wishes to preserve the right to trial as to all the issues herein triable of right by jury, pursuant to the Federal Rules of Civil Procedure, U.S.C.A. Title 28, Rule 38(a), (b), and (c).

V.

STATEMENT OF CLAIMS

This statement of claims against the above defendants is for the deprivation of the Plaintiff's Constitutional rights by an officer or agent of the State of Illinois, in thier individual and official capacity, while under the color os state law.

The Plaintiff inserted his right to the "Free Exercise" of his religion without penalties and insert his right to a nutritional diet for his body under Biblical law under Leviticous law and that his body is a vessel of the "Holy Temple" of God. The Plaintiff inserted his right to the free exercise in obtaining a Religious Diet under his religion of **Seventh Day Adventist**. The Plaintiff was penalized by writing disciplinary reports when the Plaintiff inserted substitutions to the diet which substituted unhealthy and overbundance of soy products. The plaintiff would substitute Chicken and Fish clean meats under Leviticous law, when said chicken and fish was offered to general population which under the Religious Land Use and Institutionalized Persons Act, which cannot be considered an additional government burden. The Plaintiff set forth his diet pursuant to IDOC rule 425.70, that he must provide "Written Verification". The Plaintiff provided his religion and diet. The Plaintiff right to free exercise his religion was violated when the defendants removed him from the diet losing spiritual connection, the Plaintiff was also retaliated by his loss of his dietary job, privileges, diet.

The Plaintiff has been considered by the defendants as a grievance writer,

whose only reason to be on the religious diet was to sue someone. The Plaintiff informed the Defendants that his beliefs in his religion and the diet that he held was sincere. As stated the Plaintiff has also been a dietary worker during the times relevant to the claims within.

The Plaintiff's rights to "free excercise" of his religion under the First Amendment and under the Religious Land use of Institutionalized Persons Act were violated and the Plaintiff's right to be free from retaliation when redressing grievances were violated which the Defendants action immediately followed after the grievances by the above listed defendants and as described as followed.

1. Defendant Larry Jones forced the Plaintiff to sign a Religious agreement that was blank and the Plaintiff was not allowed to read, which violates and penalizes the Plaintiff's right to free exercise of his religion, which violates the rule 425.70 that only requires the Plaintiff to inform the Chaplain of his religion and diet. The Plaintiff discovering the rule 425.70 informed the Defendant of his diet through the Written Verification of rule 425.70, canceling any former agreement that was signed under duress, that his diet would contain substitutes of chicken and fish when offered to General Population due to the unhealthy and over consumption of soy products that were causing pain to the Plaintiff's joints and other potential harmful side effects, that violated the health of his "Holy Temple" of God, his body the Plaintiff supported his Written Verification through Holy scripture and informed the Chaplain that it his sincere belief of his diet and health. Defendant Jones was aware of the conduct enlisted and performed by the other defendants and after the Plaintiff filed grievances and letters to the Chaplain he then retaliated by conjunctively conspiring with the enlisted defendants and retaliated by removing the Plaintiff from his religious diet in violation of the Plaintiff's First Amendment right. The Defendant Jones was acting in his Individual Capacity while under the color of state law to deliberately deprive the Plaintiff of his Constitutional rights, and (RLUIPA)
2. Defendant Rick Bollman, food supervisor and the Plaintiff's immediate supervisor was apprised of the Plaintiff's diet was lacto oval and that the Plaintiff made substitutions to the diet when substitutions were offered to general populations, due to the health of the Plaintiff and said diet was sincerely held. On January 9, 2008 Defendant Bollman wrote the Plaintiff a disciplinary report for possessing a piece of chicken, this action came right after the Plaintiff was at court in the matter of Powers v. Snyder 02-1372, where time spent at court where I was supposed to be at work. Bollman's action violated the Plaintiff rights under the First Amendment and under the Religious Land Use of Institutionalized Persons Act and retaliation

and his right to redress grievances and access the court. Bollman's disciplinary report was heard by Defendant Landwer on January 10, 2008 while we were in the dietary department and was Esponged by Defendant Landwer by Defendant Jones "stating that the Plaintiff cannot be punished for backsliding on his religious tenets." Defendant Bollman was acting in his Individual capacity while under the color of state law to deliberately deprive the Plaintiff of his Constitutional rights.

3. Defendant Segretto, food Supervisor, knowing that the Plaintiff's January 9th 2008 disciplinary ticket was esponged set out his own path of destruction Segretto laid in wait and actually hung out in a closet to see what the Plaintiff was eating., The Plaintiff acting as a cook that day, actually cooked the fish and had prepared Barbeque Chicken that was offered for lunch to General poulation for the rest of the second shift crew. Segretto knowing of the Plaintiff's substitution of chicken and fish through his Written Verification, that substituted the unhealthy soy product offered that day. Segretto and Bollman both discussed the Plaintiff's ticket being exponged, Segretto came out of the closet and confiscated the white tray that was in the middle of the cook's table and Segretto wrote the Plaintiff a disciplinary report once again for eating or possessing chicken, The Plaintiff writes a grievance on January 14, 2008 on both the January 9 and Segretto's January 11, 2008 ticket. Said grievance has been attached to this claim. The Plaintiff was found guilty this time by Defendant Landwer and punished 15 days commissary restriction, The Plaintiff wrote another grievance on Correctional Officer/Program Committee Chairperson Landwer for setting punishment when it was not warranted. Said grievance is attached to this claim. The Counselor responded and interview Segretto about his grievance on his Jnauary 11, 2008 ticket. Segretto working on February 6 2008 approaches the Plaintiff and states to the Plaintiff about the money in relief of the grievance. The Plaintiff actually informed the Defendant Segretto of his Written--Verification, informed Segretto about the Religious Land Use and INstitutionalized Persons Act and also of the Prison Litigation Act of 1997, Segretto repeated the relief in the grievance and then wrote another disciplinary report stating the relief was "Threats and Intimidation" and then sent the Plaintiff back to his house. On February 7, 2008 the Plaintiff was scheduled to work and walk into the dietary and was confronted by Food Supervisor Bonnell and she stated "That per Dietary Manager Cindy Eycamp that you were fired by Assistant Warden Trancoso because of the ticket written by Segretto. The Plaintiff had not even recieved the ticket yet and did not hear the ticket by the Adjustment Committee either but was retaliated

by the loss of his dietary job because the Plaintiff asserted his right to redress grievance on Segretto. The Threats and Intimidation disciplinary report was exponged by the Adjustment Committee Sgt. Valdivisio. The Plaintiff has not recieved his job back either. Segretto's action violated the Plaintiff's rights under the First Amendment and under the Religious Land Use and Institutionalized Person Act and retaliation and hisright to redress grievances. Defendant Segretto was acting in his Individual capacity while under the color of state law to deliberately deprive the Plaintiff of his Constitutional rights.

4. Defendant Wes Landawer, Correctional Officer also Program Committee Chairperson who was responsible to hear minor infractions., the Plaintiff made Landawer aware of his Written Verification to substitute chicken and fish inaddition he was aware of Chaplain Jones informing that one cannot be punished for backsliding on thier religious tenets. Landawer imposedpunishment of 15 day commissary restrictionon the Plaintiff's ticket of January 11, 2008 by Segretto, The Plaintiff wrote a grievance on Landawer and is included within his claim. On 2/27/08, Defendant Castillo wrote anotherdisciplinary ticket on the Plaintiff where Landawer heard the ticket and once again it was for having chicken. Landawer discipline the Plaintiff to C grade taking all of his priviledges, particularly hardshipping the Plaintiff in his legal matters, where Landawer could have recused himself but enter into a verbal argument with the Plaintiff and insured the Plaintiff that he would make sure that the Plaintiff be removed from his religious diet. Landawer actions violated the Plaintiff rights under the First Amendment and under the Religious Land use of Institutionalized Persons Act and retaliation for his right to redress grievances. Defendant Landawer was acting in his individual capacity while under the color of state law to deliberately deprive the Plaintiff of his Constitutional rights.

5. Defendant Luis Castillo, Food supervisor, knowing of the disciplinary reports were written on the Plaintiff and knowing the grievances by the Plaintiff written on his two buddies within the dietary department and knowing the Plaintiff's Written verification which allowed the Plaintiff to substitute chicken and fish with the unhealthy soy products. On February 27, 2008 wrote the Plaintiff a disciplinary report for eating chicken.Castillo's action violated the Plaintiff's rights under the First Amendment and under the Religion Land Use and Institutionalized Person act and retaliation in conspiring with the defendants to the Plaintiff's right to redress grievances. Defendant Castillo was acting in his Individual capacity while under the clor of state law to deliberately deprive the Plaintiff of his Constitutional rights.

VI.

REQUEST FOR RELIEF

WHEREFORE, for the claims set forth in the foregoing counts, the Plaintiff Thomas Powers prays that this court award him:

- a. all actual compensatory and nominal damages from the defendants that this Court deems appropriate including but not limited to damages sufficient to compensate the Plaintiff for lost wages, his mental and emotional suffering, and all other compensable losses suffered by the plaintiff to at least equal the amount of \$300,000.00. (Three Hundred Thousand Dollars)
- b. Punitive damages from the defendants in an amount sufficient to punish Defendants and deter Defendants and others from engaging in similar conduct in the future, that this retaliatory conduct should be looked at that each individual to pay any damages in a punitive nature by garnishment of wages.
- c. any legal fees and or filing fees.
- d. an Injunction ordering the corrections of the Constitutional deficiencies alleged in this complaint, and
- e. such other and further relief as this court may deem appropriate.

VII.

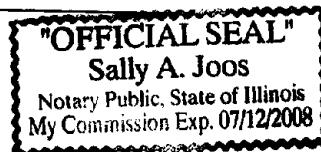
DECLARATION UNDER FEDERAL RULE OF CIVIL PROCEDURE 11

I, the undersigned, certify to the best of my ability, knowledge and belief that this complaint is in full compliance with Rule 11(a) and 11(b) of the Federal Rules of Civil Procedure. The undersigned also recognizes that a failure to comply with Rule 11(a) and (b) may result in sanctions, monetary and non-monetary, pursuant to Federal Rule of procedure 11(c).

The Plaintiff hereby requests this Honorable Court to issue all appropriate service and/or notices to the defendants.

Signed this 15th day of April, 2008

Sally A. Joos
NOTARY PUBLIC



Thomas Powers
Thomas Powers N-91586
Dixon Correctional center
2600 N. Brinton ave.
Dixon, Illinois 61021

ILLINOIS DEPARTMENT OF CORRECTIONS
OFFENDER'S GRIEVANCE

Date: 2/9/08

Offender:
(Please Print)

Present Facility:

Dixon

Powers Thomas

ID#: N91536

Facility where grievance
issue occurred:

Dixon

NATURE OF GRIEVANCE:

 Personal Property Staff Conduct Transfer Denial by Facility Disciplinary Report: Mail Handling Dietary Transfer Denial by Transfer Coordinator Restoration of Good Time Medical Treatment Disability HIPAA Other (specify):

Date of Report: / /

Facility where issued

Note: Protective Custody Denials may be grieved immediately via the local administration on the protective custody status notification.

Complete: Attach a copy of any pertinent document (such as a Disciplinary Report, Shakedown Record, etc.) and send to:

Counselor, unless the issue involves discipline, is deemed an emergency, or is subject to direct review by the Administrative Review Board. Grievance Officer, only if the issue involves discipline at the present facility or issue not resolved by Counselor.

Chief Administrative Officer, only if EMERGENCY grievance.

Administrative Review Board, only if the issue involves transfer denial by the Transfer Coordinator, protective custody, involuntary administration of psychotropic drugs, issues from another facility except personal property issues, or issues not resolved by the Chief Administrative Officer.

Brief Summary of Grievance: I am grieved the staff misconduct of Assistant Warden Victor Transcuso where in conspiracy with CFSSII Segretta has retaliated against me for my right to redress grievances under the First Amendment (See 1/14/08 and 2/7/08 grievances on CFSSII Segretta)

ON 2/7/08 Alw Transcuso without personal interest abused his discretion by conspiring with CFSSII Segretta by terminating me from my dietary position without any form of due process guided by the US Supreme Court Walter Wolfe vs McDonnell which formulates the Adjustment Committee process ON 2/6/08 CFSSII wrote an IDR in retaliation for a grievance filed on Segretta on 1/14/08 - ON 2/7/08 Alw Transcuso only by knowledge

reinstated. All other relief in conjunctives with grievances

GRIEVANCE to be expedited with urgency

Check only if this is an EMERGENCY grievance due to a substantial risk of imminent personal injury or other serious or irreparable harm to self.

Thorne Powers

Offender's Signature

N91536

2/9/2008

Date

(Continue on reverse side if necessary)

Counselor's Response (if applicable)

Date

Received:

 Send directly to Grievance Officer Outside jurisdiction of this facility. Send to
Administrative Review Board, P.O. Box 19277,
Springfield, IL 62794-9277

Response:

Print Counselor's Name

Counselor's Signature

Date of Response

EMERGENCY REVIEW

Date

Received:

2/13/08

Is this determined to be of an emergency nature?

Yes; expedite emergency grievance
 No; an emergency is not substantiated.
 Offender should submit this grievance
 in the normal manner.

Robert H. Marshall
Chief Administrative Officer's Signature

2/13/08

Date

Distribution: Master File; Offender

ILLINOIS DEPARTMENT OF CORRECTIONS
OFFENDER'S GRIEVANCE

Date: 3/3/2008	Offender: (Please Print) Thomas Powers	ID#: N91586
Present Facility: DIXON	Facility where grievance issue occurred: DIXON	
NATURE OF GRIEVANCE:		
<input type="checkbox"/> Personal Property <input type="checkbox"/> Mail Handling <input type="checkbox"/> Restoration of Good Time <input type="checkbox"/> Disability <input checked="" type="checkbox"/> Staff Conduct <input type="checkbox"/> Dietary <input type="checkbox"/> Medical Treatment <input type="checkbox"/> HIPAA <input type="checkbox"/> Transfer Denial by Facility <input type="checkbox"/> Transfer Denial by Transfer Coordinator <input checked="" type="checkbox"/> Other (specify): Religious Risk		
Date of Report: 1/1		Facility where issued

Note: Protective Custody Denials may be grieved immediately via the local administration on the protective custody status notification.

Complete: Attach a copy of any pertinent document (such as a Disciplinary Report, Shakedown Record, etc.) and send to:
 Counselor, unless the issue involves discipline, is deemed an emergency, or is subject to direct review by the Administrative Review Board.
 Grievance Officer, only if the issue involves discipline at the present facility or issue not resolved by Counselor.
 Chief Administrative Officer, only if EMERGENCY grievance.
 Administrative Review Board, only if the issue involves transfer denial by the Transfer Coordinator, protective custody, involuntary administration of psychotropic drugs, issues from another facility except personal property issues, or issues not resolved by the Chief Administrative Officer.

Brief Summary of Grievance: I am grieved the staff misconduct of Chaplain Larry Jones for suspending my religious diet on 3/3/8. I received a letter from Chaplain Jones suspending my diet under the Seventh Day Adventist. Chaplain Jones' misconduct is that he is applying religious diet agreements in violation of IDOC rule 425.70 and in violation of the First Amendment.

Relief Requested: Grievance ^{is} attached to the ongoing grievances of other staff members in relationship to my Religious Diet.		
> Restore Diet under Seventh Day Adventist Written Verification		
<input type="checkbox"/> Check only if this is an EMERGENCY grievance due to a substantial risk of imminent personal injury or other serious or irreparable harm to self.		
Offender's Signature: Thomas Powers	ID#: N91586	Date: 3/3/8
(Continue on reverse side if necessary)		

Date Received: 1/1	Counselor's Response (if applicable)	
	<input type="checkbox"/> Send directly to Grievance Officer	<input type="checkbox"/> Outside jurisdiction of this facility. Send to Administrative Review Board, P.O. Box 19277, Springfield, IL 62794-9277
Response: _____		
Print Counselor's Name: _____	Counselor's Signature: _____	Date of Response: 1/1

Date Received: 1/1	EMERGENCY REVIEW	
Is this determined to be of an emergency nature?		
<input type="checkbox"/> Yes; expedite emergency grievance <input type="checkbox"/> No; an emergency is not substantiated. Offender should submit this grievance in the normal manner.		
Chief Administrative Officer's Signature: _____		Date: 1/1

08-01-84

(27)

Date: <u>January 14, 2008</u>	Offender: (Please Print) <u>Thomas Powers</u>	ID#: N-91586
Present Facility: <u>Dixon Correctional</u>	Facility where grievance issue occurred: <u>Dixon correctional</u>	
NATURE OF GRIEVANCE:		
<input type="checkbox"/> Personal Property <input type="checkbox"/> Mail Handling <input type="checkbox"/> Restoration of Good Time <input type="checkbox"/> Disability <input type="checkbox"/> Staff Conduct <input type="checkbox"/> Dietary <input type="checkbox"/> Medical Treatment <input type="checkbox"/> HIPAA <input type="checkbox"/> Transfer Denial by Facility <input type="checkbox"/> Transfer Denial by Transfer Coordinator <input type="checkbox"/> Other (specify): <u>27/BF</u>		
Date of Report: <u>1/19/2008</u>		Facility where issued

Note: Protective Custody Denials may be grieved immediately via the local administration on the protective custody status notification.

Complete: Attach a copy of any pertinent document (such as a Disciplinary Report, Shakedown Record, etc.) and send to:
 Counselor, unless the issue involves discipline, is deemed an emergency, or is subject to direct review by the Administrative Review Board.
 Grievance Officer, only if the issue involves discipline at the present facility or issue not resolved by Counselor.
 Chief Administrative Officer, only if EMERGENCY grievance.
 Administrative Review Board, only if the issue involves transfer denial by the Transfer Coordinator, protective custody, involuntary administration of psychotropic drugs, issues from another facility except personal property issues, or issues not resolved by the Chief Administrative Officer.

Brief Summary of Grievance: I am grieved the staff misconduct of CFSS II Segretto, for fabricating a state document (DOC 0317) by putting incorrect information into the body of the IDR, in his attempt to harass and his continuous intimidation to test the sincerity of my religious diet, this IDR is in retaliation from past grievances, past confrontation on Segretto assaulting me. Segretto's conduct is well known and has to be documented for him singling me out, for my protection in retaliation that will come from this grievance, that has come from my numerous court matters, for protection from future retaliation for my First Amendment right to redress grievances and access the court, and my right to freely express of my religion and my right to rehabilitation under the Illinois Constitution Article 1 Section 11 to be restored to useful citizenship.

FABRICATING A STATE DOCUMENT- I never possessed or did I eat from another tray, the body of this ticket reads that I ate chicken from a styrofoam tray given to me by Inmate Weidman N-94444. I am a dietary specialist assigned to the serving line. The meal of the day for

Relief Requested: Full investigation completed

If matter needs to be resolved and continues to be brought into court I will seek \$25,000.00 compensatory damages and \$100,000.00 in punitive damages to be paid by this employee directly not by the taxpayers of great State of Illinois

Check only if this is an EMERGENCY grievance due to a substantial risk of imminent personal injury or other serious or irreparable harm to self.

N-91586

1/16/2008

Date

ID#

(Continue on reverse side if necessary)

Date Received: 1/22/08

Counselor's Response (if applicable) Send directly to Grievance Officer Outside jurisdiction of this facility. Send to Administrative Review Board, P.O. Box 19277, Springfield, IL 62794-9277

Response: For supervisor Segretto to stand (privately in) watch window. He observed food being transferred from Weidman to Powers. He further states he does not retaliate, if the person eats food not on diet then it's considered contamination.

B. Frank C.R.

Print Counselor's Name

B. Frank

Counselor's Signature

2/13/08

Date of Response

EMERGENCY REVIEW

Date

Received: 1/1

Is this determined to be of an emergency nature?

 Yes; expedite emergency grievance No; an emergency is not substantiated. Offender should submit this grievance in the normal manner.

Chief Administrative Officer's Signature

1/1

Date

Distribution: Master File; Offender

ILLINOIS DEPARTMENT OF CORRECTIONS
OFFENDER'S GRIEVANCE (Continued)

January 11, 2008 for dietary workers was fried fish, BBQ Chicken, baked potatoes, and corn for desert oatmeal cookies-The Lacto Oval diet was soy crumbs with chopped onions, biscuits, baked potatoe , corn and an orange.

SEGRETO'S CONDUCT Segretto's actions have to be weighed. On 1/9/2008, I was written the same type of IDR by CFSS II Belman and that IDR was expunged- word got out of the expungement and Segretto hid out in the dietary boiler room and looked through the grating to the third row middle table a sum of some 20 to 25 feet in the North dining room, first of all the tray in question did not contain chicken but fried fish and from his view he could not see what I did particularly when my back was to Segretto. Segretto's conduct is so minute that he has to hide out and stalk me to see what I am eating. Segretto has made it well known that he believes that I should not have a Lacto-oval diet.

DISCIPLINE IS SET WITHIN THE BODY OF THE RELIGIOUS DIET AGREEMENT As stated in the present religious agreement that if I do not meet the critiera of the agreement in three separate occassions then I would be taken off, any violation is a backslide of my religious tenets before God and I should not be subjected to a stacking of disciplinary charges where I believe that Segretto's conduct should be evaluated where it has become well known that when this first shift supervisor works second shift he terminates second shift workers because he has disputes with second shift supervisors to cause them additional hardship when running thier shift with skeleton crews. Where I ask Administration to concern themselves with this erratic behavior.

PROTECTION FROM RETALIATION TO MY RIGHT TO REDRESS GRIEVANCES AND COURT ACCESS, TO FREELY EXPRESS MY RELIGIOUS RIGHT AND NOT TO BE HINDER IN MY EFFORTS FOR REHABILITATION. The ongoing civil rights actions pending with present scheduling of February 15, 29, 2008 and March 13, 17, 2008 causes me concern when a non substance discipline report is written. In addition to my reward in my criminal matter presently scheduled for January 14, 2008. This matter will be brought to the presiding judges

EMERGENCY GRIEVANCE Due to the ongoing matters, Segretto's known retaliatory conduct this matter must be handled in urgent manner.

Segretto's conduct is unlawful of criminal statue of Intimidation 720ILCS 5;12-6 Segretto's ongoing harrassment, assault to my body and most recent accusation of fraternization which has no substance by the nature accusing me of an offense and under the law of Intimidation he can be found guilty to this class 3 felony, inaddition to Segretto's violation of the US Constitution under the First Amendment and the Illinois Constitution Article one Section Eleven and by IDOC's Standard of Conduct Segretto must be terminated

Copies

Internal Affairs /Springfield
Attorney Alan Gerson Counsel for Thomas Powers
Attorney General
Copy to US District Court in both matters Powers V. Snyder and Powers V. Jaimet

ILLINOIS DEPARTMENT OF CORRECTIONS
OFFENDER'S GRIEVANCE

7/8

Offender: Powers Thomas
(Please Print)

ID#: N91586

Facility where grievance issue occurred: Dixon

GRIEVANCE:

Personal Property Mail Handling Restoration of Good Time
 Staff Conduct Dietary Medical Treatment Disability
 Transfer Denial by Facility Transfer Denial by Transfer Coordinator HIPAA
 Transfer Denial by Transfer Coordinator Other (specify): 27/BF

Disciplinary Report: 2/6/2008 Date of Report: Dixon Facility where issued: Dixon

Note: Protective Custody Denials may be grieved immediately via the local administration on the protective custody status notification. Complete: Attach a copy of any pertinent document (such as a Disciplinary Report, Shadow Record, etc.) and send to: Counselor, unless the issue involves discipline, is deemed an emergency, or is subject to direct review by the Administrative Review Board. Grievance Officer, only if the issue involves discipline at the present facility or issue not resolved by Counselor. Chief Administrative Officer, only if EMERGENCY grievance. Administrative Review Board, only if the issue involves transfer denial by the Transfer Coordinator, protective custody, involuntary administration of psychotropic drugs, issues from another facility except personal property issues, or issues not resolved by the Chief Administrative Officer.

Brief Summary of Grievance: on 2/6/2008 at 3:00 pm at the dietary worker feed CFSS II Segretto approached me to see what I was eating on my religious diet. Segretto also stated that he read the grievance that I filed on January 14 2008 and stated to me "That You want \$25,000 in your grievance.
I took this conduct as harassment, intimidation and retaliation for filing the previous grievance, in addition Segretto's constant retaliation in my right to free exercise of my religious right under the
Relief Requested: Due to Segretto's erratic behavior and ongoing re
taliation - Expungement of IDR - Suspension for violation of
law, \$75 in Compensation Damages and \$25,000 injunctive damages
Check only if this is an EMERGENCY grievance due to a substantial risk of imminent personal injury or other serious or irreparable harm to self.

Thomas Powers N91586 2/7/2008
Offender's Signature ID# Date

(Continue on reverse side if necessary)

Counselor's Response (if applicable)	
Date Received: 2/26/08	<input checked="" type="checkbox"/> Send directly to Grievance Officer <input type="checkbox"/> Outside jurisdiction of this facility. Send to Administrative Review Board, P.O. Box 19277, Springfield, IL 62784-9277
Response: Note: IDR date 2-6-08 is expunged AMOR	
Print Counselor's Name	
B. Frank Cee	
Counselor's Signature	
B. Frank Cee	
Print Counselor's Name	
EMERGENCY REVIEW	
Date Received: 2/27/08	Is this determined to be of an emergency nature? Counselor Offender In the normal course of events

ILLINOIS DEPARTMENT OF
CORRECTIONS
OFFENDER'S GRIEVANCE (Continued)

First Amendment, and not to be penalized for the "free exercise" of their grievance. As stated in January 14 2008 Segretto works second shift to terminate second shift workers to cause hardship to second shift staff. This conduct is unlawful and should be suspended and once again I am asking Dixon Administration to intervene.

This is a legal matter once a grievance is filed pursuant to the 1987 Prison Litigation Act.

Thomas Powers #51586
2-7-8

ILLINOIS DEPARTMENT OF CORRECTIONS OFFENDER'S GRIEVANCE					
Date: <u>1/20/2008</u>	Offender: (Please Print) <u>Pawes</u>	ID# <u>N91586</u>			
Present Facility: <u>Dixm</u>	Facility where grievance issue occurred: <u>Dixm</u>				
NATURE OF GRIEVANCE:					
<input type="checkbox"/> Personal Property <input checked="" type="checkbox"/> Staff Conduct <input type="checkbox"/> Transfer Denial by Facility		<input type="checkbox"/> Mail Handling <input type="checkbox"/> Dietary <input type="checkbox"/> Transfer Denial by Transfer Coordinator		<input type="checkbox"/> Restoration of Good Time <input type="checkbox"/> Medical Treatment <input type="checkbox"/> Disability <input type="checkbox"/> HIPAA <input type="checkbox"/> Other (specify): _____	
Disciplinary Report: <u>1/11/2008</u>		Date of Report		Facility where issued	
Note: Protective Custody Denials may be grieved immediately via the local administration on the protective custody status notification. Complete: Attach a copy of any pertinent document (such as a Disciplinary Report, Shakedown Record, etc.) and send to: Counselor, unless the issue involves discipline, is deemed an emergency, or is subject to direct review by the Administrative Review Board, Grievance Officer, only if the issue involves discipline at the present facility or issue not resolved by Counselor, Chief Administrative Officer, only if EMERGENCY grievance. Administrative Review Board, only if the issue involves transfer denial by the Transfer Coordinator, protective custody, involuntary administration of psychotropic drugs, issues from another facility except personal property issues, or issues not resolved by the Chief Administrative Officer.					
Brief Summary of Grievance: <u>I am grieved the staff misconduct at Program Committee Chairperson Wesley Landwe for his failure to espouse the above written TDR, in addition I am grieved the discipline on the above TDR. Incident Number 20080018011-01x Per Captain Jones' An inmate cannot be punished for backsliding on the tenets of their faith The body of the ticket state "Pete chicken</u>					
Relief Requested: <u>Ticket espoused</u>					
<input type="checkbox"/> Check only if this is an EMERGENCY grievance due to a substantial risk of imminent personal injury or other serious or irreparable harm to self.					
<u>Thomas Pawes</u> Offender's Signature				<u>N91586</u>	<u>1/20/2008</u>
(Continue on reverse side if necessary)					
Date Received: <u>1/1</u> Counselor's Response (if applicable)					
Response: _____					
Print Counselor's Name _____ Counselor's Signature _____ Date of Response _____					
Date Received: <u>1/1</u> EMERGENCY REVIEW					
Is this determined to be of an emergency nature? <input type="checkbox"/> Yes; expedite emergency grievance <input type="checkbox"/> No; an emergency is not substantiated. Offender should submit this grievance in the normal manner.					
<u>M</u> Chief Administrative Officer's Signature					
Distribution: Master File; Offender Date _____					

ILLINOIS DEPARTMENT OF CORRECTIONS OFFENDER'S GRIEVANCE			
Date: 2/29/2008	Offender: (Please Print) Thomas Powers	ID#: N51586	
Present Facility: Dixon	Facility where grievance issue occurred: Dixon		
NATURE OF GRIEVANCE:			
<input type="checkbox"/> Personal Property <input type="checkbox"/> Mail Handling <input type="checkbox"/> Restoration of Good Time <input type="checkbox"/> Disability <input checked="" type="checkbox"/> Staff Conduct <input type="checkbox"/> Dietary <input type="checkbox"/> Medical Treatment <input type="checkbox"/> HIPAA <input type="checkbox"/> Transfer Denial by Facility <input type="checkbox"/> Transfer Denial by Transfer Coordinator <input type="checkbox"/> Other (specify): _____ <input checked="" type="checkbox"/> Disciplinary Report: 2/27/2008			
Date of Report		Facility where issued	
<small>Note: Protective Custody Denials may be grieved immediately via the local administration on the protective custody status notification. Complete: Attach a copy of any pertinent document (such as a Disciplinary Report, Shakedown Record, etc.) and send to: Counselor, unless the issue involves discipline, is deemed an emergency, or is subject to direct review by the Administrative Review Board. Grievance Officer, only if the issue involves discipline at the present facility or issue not resolved by Counselor. Chief Administrative Officer, only if EMERGENCY grievance. Administrative Review Board, only if the issue involves transfer denial by the Transfer Coordinator, protective custody, involuntary administration of psychotropic drugs, issues from another facility except personal property issues, or issues not resolved by the Chief Administrative Officer.</small>			
<small>Brief Summary of Grievance: ON 2/27/2008 I was yet confronted by CPSSIT Castill for substituting chicken for soy products per the religious agreement pursuant to Case Law 2006 WL 3523750 Agrawal vs Briley - I walked up to the line and received my diet tray and noticed GP had chicken. I asked Sgt Pate to go back to the line. He granted permission and I substituted chicken for the dangerous and unhealth soy product - Attirect was written for that, Contained Violation of Rules and Unauthorized Movement and Head by Chappesin (and) even though Landauer has a grievance previously on him for his part in Violation of my First Amendment Landauer discipline is retaliatory</small>			
<small>Relief Requested: Continuous retaliation to stop violating my right to free exercise of my First Amendment. This grievance is in direct relationship of protection on denying substitute of my religious Diet.</small>			
<input checked="" type="checkbox"/> Check only if this is an EMERGENCY grievance due to a substantial risk of imminent personal injury or other serious or irreparable harm to self.			
Thomas Powers		Offender's Signature N51586 Date 2/29/2008	
(Continue on reverse side if necessary)			

Counselor's Responses (if applicable)		
Date Received: 1/1/08	<input type="checkbox"/> Send directly to Grievance Officer	<input type="checkbox"/> Outside jurisdiction of this facility. Send to Administrative Review Board, P.O. Box 18277, Springfield, IL 62794-0277
Response:		
Print Counselor's Name		Counselor's Signature
Date of Response		
EMERGENCY REVIEW		
Date Received: 1/1/08	Is this determined to be of an emergency nature?	
<input type="checkbox"/> Yes; expedite emergency grievance <input type="checkbox"/> No; an emergency is not substantiated. Offender should submit this grievance in the normal manner.		

OERRM178

ILLINOIS DEPARTMENT OF CORRECTIONS
OFFENDER TRACKING SYSTEM:RM
GRADE DEMOTION NOTIFICATION

RUN DATE: 03/06/08
RUN TIME: 18.11.04

AS OF DATE: 03/06/08

INSTITUTION: DIXON

IDOC # : N91586 NAME : POWERS, THOMAS J. LIVING UNIT : NE-27-63

DUE TO AN ADJUSTMENT COMMITTEE HEARING, YOU HAVE BEEN
DEMOTED TO C GRADE AS OF 02/28/08. YOU WILL RETURN TO
B GRADE ON 03/28/08 AND A GRADE ON 04/28/08.

GRADE DEMOTIONS ARE COMPUTED CONSECUTIVELY TO PRIOR
DEMOTIONS, WHEN APPLICABLE, INCLUDING DEMOTIONS RECEIVED
AT OTHER FACILITIES.

FROM: RECORDS OFFICE

4/20
Legal

Tom Powers NISTC
Dixon CC
2600 N Brainerd ave
Dixon, IL 61021

The Honorable Clerk of the
United States District
Court
Northern District (West)
Federal Building
211 South Court St
Rockford, Illinois
61101

Legal